DEVELOPMENT OF E-GOVERNMENT: THE EU AND RUSSIA EXPERIENCE IN COMPARATIVE PERSPECTIVE

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ABSTRACT

This paper is dedicated to research of different aspects of development of eGovernment mechanisms. Activities and state of play in the sphere within the European Union and the Russian Federation have been analyzed and compared by the author. The author paid particular attention to the process of implementation of relevant EU legislation in the legal systems of EU Member States. To illustrate the process was chosen Ireland. The paper considers main Russian legal instruments for development of the eGovernment concept. The author outlines existing obstacles and proposes some ways to overcome them.

1. INTRODUCTION

In modern society, social relations are being upgraded under the influence of information and communication technologies. These changes apply to certain aspects of the functioning of the state, in particular, the order of providing of state and local services, increasing of transparency of operations of executive state bodies. Development of e-Government takes place in countries with different political and legal traditions. The order of providing of state and municipal services has been constantly changing, increasing transparency of system of state governing bodies.

The concept of e-Government received its initial development at the end of the XX century with the development of computer technologies and the Internet. The term «e-Government» appeared itself in the late 1990s, but the idea of

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using of the most modern technologies not only in business but also in public administration, appeared much earlier.

Public administration constantly responds to technical and technological innovations. Dynamism of modernity, especially in democratic countries, required optimizing of governance, updating of forms, methods, administrative procedures, interdepartmental and external communication, and technical basis for its functioning.

Nowadays, e-Government becomes a commonplace, a part of everyday life, evidence of reforming of the public administration system demonstrates commitment to global megatrends. At the World Summit on the Information Society 2015 it was noted that e-Government is one of the main indicators of innovations and changes[1].

In addition, eGovernment has been seen by the EU as one of the tools to overcome democratic deficit, to strengthen political relationships between citizens and the EU institutions, as well as a means of enhancing its legitimacy, transparency and accountability[2].

System of e-Government is a very complex object of study for legal science, because the concept is relatively new and not yet fully comprehended enough. Moreover, it is at the junction of several legal disciplines - administrative law, constitutional law, criminal law, international law, EU law, etc.

National legal systems adopt different normative legal acts, aimed at regulation of certain aspects of e-Government (distant providing of state and local services, access to information on activities of state agencies and bodies).

The ongoing processes require theoretical comprehension, including an integrated approach to the legal regulation of e-Government. In this connection, it is necessary to take into account and to analyze foreign experience of the construction of e-Government, general and particular features of the legislation in this area.

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[1]   World Summit the Information Society 2015. Outcome Document: Forum Track. 25–29 May. 2015. Geneva, Switzerland. International Telecommunication Union. P. 101.

[2]   Maloney W. Civic Engagement and the Quality of Governance // In: Efficient and Democratic Governance in the European Union. Beate-Kohler-Koch, Fabrice Larat (eds.)//CONNEX Report Series. 2008. № 9. P. 238.

2. DEFINITION

The most of sources, giving a definition for «e-Government», put the emphasis on the use of modern technologies in the public administration, increase of openness of government, reduce of costs.

According to the definition, given by the World Bank, «E-Government» refers to the use by government agencies of information technologies that have the ability to transform relations with citizens, businesses, and other arms of government. These technologies can serve a variety of different ends: better delivery of government services to citizens, improved interactions with business and industry, citizen empowerment through access to information, or more efficient government management. The resulting benefits can be less corruption, increased transparency, greater convenience, revenue growth, and/or cost reductions.[3]

In the context of the OECD E-Government Project, the term «eGovernment» is defined as: «The use of information and communication technologies, and particularly the Internet, as a tool to achieve better government. E-Government goes beyond the simple exercise of putting information and services online, and can be used as a powerful instrument to transform the structures, process and culture of government and make it more efficient, user oriented and transparent»[4].

The United Nations understand e-Government as «the use of ICT and its application by the government for the provision of information and public services to the people. E-Government and innovation can provide significant opportunities to transform public administration into an instrument of sustainable development».[5]

The UN Report 2004 admits that E-Government still includes electronic interactions of three types:

– government-to-government (G2G);

– government-to-business (G2B);

– government-to-consumer (G2C).

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[3]   APT Report on e-Government implementation. URL: http://www.apt.int/sites/default/files/Upload-files/ASTAP/Rept-5-e-Govt.pdf

[4]   Background paper: Implementing e-Government in OECD countries: experiences and challenges. URL: http://www.oecd.org/mena/governance/36853121.pdf

[5]   UN Global E-Government Readiness Report 2004. URL: https://publicadministration.un-.org/egovkb/portals/egovkb/Documents/un/2004-Survey/Complete-Survey.pdf

To date, the most developed countries have successfully used modern technologies in public administration and are at the final stage of e-Government infrastructure. This is due to increasing global trend towards greater transparency and freedom of information, facilitation of access to it.

Information technologies are seen as a tool for implementation of new forms of democracy — e-democracy, to ensure greater participation of citizens in the public life. As practice shows, creations of e-government in different countries occurred gradually, in several stages, and for each state were characterized by certain features.

3. DEVELOPMENT WITHIN THE EUROPEAN UNION

Regarding the European Union, 1994 may be seen as somewhat arbitrarily starting point here. Obviously, we can assume the appearance of a document — Recommendations to the European Council «Europe and the global information society» («Bangemann report»)[6].

The «Bangemann report» had a significant influence on regulatory ensuring of information development of the European Union in the future. However, following policy documents in the sphere became more and more specific and pragmatic, gradually developing into a more or less precise "action plan" for a certain period.

This report can be considered as one of the classic scientific and analytical works on problems of impact of modern information technologies on the public transformation, economic and human development. From a purely scientific and theoretical point of view, it was based on the concept of "information society" as a new type of socium, based on widespread use of unprecedented opportunities offered by ICT.

Authors of the report proceeded with the hypothesis that wide informatization can lead to a qualitative leap in social and human development — achieving the new levels of communications, science and education, economic development, radically improvement of the quality of life, a perfect socio-economic system, greater unity of societies, acceleration of globalization processes, etc.

As demonstrated by further development of global IT and information sphere, the Bangemann group fairly accurately determined features of future info-systems. Thus, the report referred to digital networks of integrated services, broadband communication lines, mobile telephony, and satellite communications as

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[6]   Bangemann Report, Europe and the Global Information SocietyURL: http://aei.pitt.edu/1199/1/info_society_bangeman_report.pdf

main technical and technological trends. On this technological foundation the authors envisaged creation of a complex of infrastructures and services, which has been called by them as «a bridge to the information society»: distance employment; distance learning; university and research networks; a range of electronic communication services available for small and medium-sized enterprises; computer transport management systems; computer control of air traffic; computer networks in the field of public health; e-commerce; European network of national and local administrative bodies; urban information highways.

The «Bangemann Report» has had a significant impact on the formation of regulatory and project support of the European Union's information development in the future. However, following policy documents has become more and more specific and pragmatic, gradually acquiring features of not well formulated foresight project, but rather a more or less precise «action plan» for a certain period.

The «eEurope - An information society for all» Initiative was adopted in 2000. The document has become a part of the EU's Lisbon strategy, under which the European Union has set a goal to become the most competitive and dynamic economy based on innovation and knowledge by 2010.

The key objectives of the Initiative were the following:

– to bring every citizen, home and school, every business and every administration into the digital age and online;

– to create a digitally literate Europe, supported by an entrepreneurial culture ready to finance and develop new ideas;

– to ensure that the whole process is socially inclusive, builds consumer trust and strengthens social cohesion.

To achieve these goals, in May 2000 the Commission adopted the Action Plan entitled «eEurope 2002». Its most important activities were aimed at ensuring more cheap, fast and reliable access to the Internet, at conducting financial investments and investments in human capital, as well as increasing Internet connectivity in Europe, opening up all communications networks to competition and encouragement Internet use by placing emphasis on training and consumer protection.

The following European initiative «i2010: Information Society and the media working towards growth and jobs»[7], which was launched in June 2005, identi-

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[7] i2010: Information Society and the media working towards growth and jobs. URL: http://eur-lex.europa.eu/legal-content/SK/TXT/?uri=URISERV:c11328

fied new strategic objectives of the European Commission in the field of information society and media in the period up to 2010. It is worthy to note, that the document was the first Commission's initiative within the framework of the renewed Lisbon Strategy 2005 to stimulate economic growth and employment.

Main objectives of the document were the following:

- to increase the speed of broadband services in Europe;

- to encourage new services and on-line content;

- to promote devices and platforms that «talk to one another»;

- to make the Internet safer from fraudsters, harmful content and technology failures.

A detailed analysis of achievements of the «i2010» Initiative for 2005-2009 was conducted by the European Commission[8]. The initiative has brought tangible results for the Europeans. There was admitted increase of their online presence and of the number of regular Internet users (from 43% in 2005 to 56% in 2009). In 2009, the EU has become the world leader in broadband internet. The number of Internet users reached 114 million people that turned the EU to the biggest world market. In 2009, a half of EU households had a stable internet connection. Under the influence of ICT technologies, the Europeans have adapted to new ways of communication. 80% of regular Internet users participated in interactive activities, in particular, used online financial services. An important indicator of the EU achievements in the field of ICT was rapid development of 20 basic public services online in the EU member-states. If in 2004 they were supplied to 27% of EU citizens, in 2007 - to 50%. In 2009, the e-government services were used by a third of the citizens and almost 70% of the businesses[9]. In 2009-2010 authorities of Malta, Italy, Austria, Portugal and Sweden provided 100% access to all basic services for their citizens.

On average in the EU access to online services was 89% in 2010 compared to 69% - in 2009[10]. The statistics for certain types of public services under the «i2010» initiative, presented by Capgemini Company to the European

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[8]   Europe's Digital Competitiveness Report. Main achievements of the i2010 Strategy 2005–2009. URL: http://eur-lex.europa.eu/LexUriServ/LexUriServ do?uri=COM:2009:0390: FIN:EN:PDF

[9]   Europe's Digital Competitivennes Report. Main achievements of the i2010 Strategy 2005–2009. P. 9. http://ec.europa.eu/digital-agenda/sites/digital agenda/files/digital_competitiveness_report_2009.pdf

[10]   Digitizing Public Services in Europe: Putting ambition into action. 9th Benchmark Measurement. December 2010. Prepared by Capgemini, IDC, Rand Europe, Sogeti and Dti. for: European Commission, Directorate General for Information Society and Media. P. 7.

Commission, was impressive. The statistics was very representative because it was obtained from nearly 5 000 public authorities and 14 000 web sites[11]. E-government services on issuance of passports and driver licenses were used by 100% of the citizens of Austria and Slovenia, 80% - in Estonia and Latvia, 70% - in Malta and Portugal, 60% - in Germany. In Belgium, Denmark, Greece, Lithuania and some others EU member-states, E-services were used by 40% of citizens, in the Czech Republic, Finland, Ireland and Slovakia - 20%[12]. Electronic registration of cars in 14 EU member-states (Belgium, Cyprus, France, Germany, Greece, etc.) was supplied to 100% of their population, in the Czech Republic, Lithuania, Turkey and Austria - 25%. Building permits in Austria, Slovenia, the UK, and Malta were issued only in electronic form, to compare: in Bulgaria such a procedure was used only in 10% of cases. The high level of use of electronic services was fixed during the process of submitting customs declarations.

In November 2009, in Malmö (Sweden), ministers of the EU member states, candidate-countries for membership and the European Free Trade Area (EFTA) countries, responsible for the implementation of e-government policy, adopted a Declaration. The document adopted a broad approach to problems of e-government: citizens and the business community have become an undisputed priority of e-government and its services, providing flexible and personalized interaction with public administrations. The Declaration set out a multi-channel strategy to provide «e-government» services by reducing barriers faced by socially and technically wounded people[13]. At the ministerial meeting it was emphasized on expectations of citizens and the business community (in terms of the serious economic, social and environmental challenges) of more open and flexible cooperation in the sphere of supply of public services. It was concluded to combine the quality of public services with decreasing resource costs, capacity-building of e-government through cooperation and interaction with public administrations.

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[11] The User Challenge Benchmarking. The Supply of online Public Services. 7th Measurement. September 2007. Prepared by: Capgemini. Directorate General for Information Society and Media Public Sector. P. 8. http://www.ut.is/media/utvefur-skjol/CapGemini_2007.pdf

[12] The User Challenge Benchmarking. The Supply of online Public Services. 7th Measurement. September 2007. Prepared by: Capgemini. Directorate General for Information Society and Media Public Sector. P. 8. http://www.ut.is/media/utvefur-skjol/CapGemini_2007.pdf P. 93.

[13] Study on «eGovernment scenarios for 2020 and the preparation of the 2015 Action Plan». Retrospective Analysis (D4).R. Fisher, L.A. Remotti and Contributions from M. Fazekas. TR-903-EC (document number)30-06-2010. Prepared for the European Commission DG Information Society and Media in support of developing the EU eGovernment Action Plan 2015. P. 125. URL: http://ec.europa.eu/digital-agenda/sites/digital-agenda/files/smart2009-0069.pdf

In the near future, as was said at the meeting, public services of the participating countries had to implement the EU political priorities, namely: to improve access to public information, to involve citizens, civil sector and the business community to the political process, to ensure the mobility of citizens for the purpose of study, working and living through the e-government services, to use eGovernment in order to reduce the administrative burden, to improve organizational processes and to develop low-carbon economy[14]. In addition, the political agenda included improving of transparency of administrative processes, positive changes within the EU internal market through the development of cross-border eGovernment services, providing greater interaction between administrative structures of the participating countries. In turn, the European Commission should provide support to the member states in the implementation of eGovernment development plans, in optimization of the use of available resources, in exchange of experience and the best practices.

Within the «Europe 2020» Strategy, the European Commission adopted one of the flagship initiatives, called «Digital Agenda for Europe». For implementation of the action the European Commission's eGovernment Action Plan 2011-2015 supported the provision of a new generation of eGovernment services. It identified four political priorities based on the Malmö Declaration:

– Empower citizens and businesses

– Reinforce mobility in the Single Market

– Enable efficiency and effectiveness

– Create the necessary key enablers and pre-conditions to make things happen.

Forty-five particular EU actions were planned for realization by the EU member-states. The final evaluation of the eGovernment Action Plan showed rather large amount of actions, which implementation was delayed at the national level by the most of countries[15].

Finally in 2016 there was an adoption of the new EU eGovernment Action Plan 2016-2020 «Accelerating the digital transformation of government»[16]. The new eGovernment Action Plan 2016-2020 aims:

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[14]   Ministerial Declaration on e-Government. Approved unanimously in Malmo, Sweden, on 18 November 2009. http://www.theguardian.com/government-computing-network/2009/nov/20/european-uniononline-government-services-malmo-20nov09

[15]   The Final Evaluation of the eGovernment Action Plan. URL: http://www.egovap-evaluation.eu/dashboard2.php

[16]   EU eGovernment Action Plan 2016-2020 «Accelerating the digital transformation of government». URL: http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:52016DC0179

- to modernize public administration,

- to achieve the digital internal market, and

- to engage more with citizens and businesses to deliver high quality services[17].

These policy priorities have been focused on providing the best public services with fewer resources, as well as providing new and better ways of engaging citizens. The emergence of innovative technologies such as service-oriented architecture, the «cloud» services, together with more open specifications, reinforce the ability of ICT to play a key role in ensuring the effectiveness of the public sector. In fact, the EU is currently at the final stage of creation of eGovernment, which assumes the final transition to the interactive communication between a state and its society in real time and the electronic document management.

4. EU LEGISLATION AND ITS IMPLEMENTATION IN THE EU MEMBER-STATES: AN EXAMPLE OF IRELAND

As with other collective instruments and mechanisms, boundaries and mechanisms of correlation of «Digital Agenda for Europe» with national laws of the EU Member States are based on EU legislation and established legal practice. Pan-European strategies have been adopted in view of interests of all Member States.

The most important challenges for the EU and its Member States are in the effective functioning of the information society, common information and communication space, the establishment of the appropriate and reliable infrastructure and the single digital market, the eGovernment's implementation at different levels, in improving the quality of public services, provided to the population, in the formation of an «e-Citizen», in combating cybercrime.

The most important tool for the realization of these objectives is the political strategy of the institutions of the European Union, the mechanisms of harmonization and unification of the laws of the Member States in the relevant field. As article 170 of the Treaty on the European Union emphasizes: «…to enable citizens of the Union, economic operators and regional and local communities to derive full benefit from the setting-up of an area without internal frontiers, the Union shall contribute to the establishment and development of

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17   https://ec.europa.eu/digital-single-market/en/european-egovernment-action-plan-2016-2020#Article

trans-European networks in the areas of transport, telecommunications and energy infrastructures»[18].

The European Commission initiates the set of laws, activities, and researches on eGovernment issues, issues of development of digital technologies, development and improvement of eGovernment in the EU. The obligations of national governments for implementation are reduced to the necessity of standards, regulations and other acts applicable to the entire European Union. There are a lot of different EU legal acts, that regulates particular eGovernment aspects, e.g. the sphere of Data Protection/Privacy governs by Regulation (EC) No 45/2001 on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data[19], the sphere of eCommunications — by «Framework» Directive 2002/21/EC on a common regulatory framework for electronic communications networks and services[20] and four specific Directives[21].

Ireland became a member of the European Union on 1 January 1973. And from that date, Ireland actively transposed EU legislation to the national legal system to fulfill its obligations as an EU Member State. The sphere of eGovernment has been not an exception.

Initially eGovernment work in Ireland has been primarily motivated by a genuine desire to make government more efficient, citizen oriented and customer-friendly; the goal of e-government is to achieve seamless client-centered service delivery. This is reflected in the fact that all the main online information

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[18] Concolidated Treaties. Charter of Fundamental Rights. European Union. 2010. P. 124. URL: https://europa.eu/european-union/sites/europaeu/files/eu_citizenship/consolidated-treaties_en.pdf

[19] Regulation (EC) No 45/2001 of the European Parliament and of the Council of 18 December 2000 on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data // Official Journal. L 8. 12.1.2001. P. 1-22.

[20] Directive 2002/21/EC of the European Parliament and of the Council of 7 March 2002 on a common regulatory framework for electronic communications networks and services (Framework Directive) // Official Journal. L 108. 24.4.2002. P. 33-50.

[21] Directive 2002/20/EC of the European Parliament and of the Council of 7 March 2002 on the authorisation of electronic communications networks and services (Authorisation Directive), Directive 2002/19/EC of the European Parliament and of the Council of 7 March 2002 on access to, and interconnection of, electronic communications networks and associated facilities (Access Directive), Directive 2002/22/EC of the European Parliament and of the Council of 7 March 2002 on universal service and users' rights relating to electronic communications networks and services (Universal Service Directive), Directive 97/66/EC of the European Parliament and of the Council of 15 December 1997 concerning the processing of personal data and the protection of privacy in the telecommunications sector.

services are organized around the 'life events' of individuals and businesses, rather than around the bureaucratic structures of government. eGovernment is also recognized and treated as one of the central pillars for the progress of the public service modernization program in the future[22].

 For the past number of years, Ireland has performed relatively well in a number of cross-national e-Government benchmarking exercises[23]. According to UN E-Government Survey 2014, Ireland occupies the 26th place of 193 countries, the 17th place of 43 European countries[24]. These high positions were achieved also because of Irish membership to the European Union and proper implementation of the EU legal acts on eGovernment.

There is currently no general eGovernment legal act in Ireland. However, administrative guidelines for implementation of related Government Decisions are issued by circulars. The latest circular regarding e-Government was Circular 5 of 2012 Arrangements for eGovernment, which advised of new arrangements for enhancing and monitoring progress with e-Government in keeping with the Public Service Reform Plan and Government Decision which approved the e-Government Strategy - eGovernment 2012-2015[25]. It stressed, that the document will also ensure that eGovernment actions are consistent with the overall objectives of the Public Service Reform Plan and European Commission eGovernment Action Plan 2012-2015.

The Irish Government's Public Service Reform Plan[26] recognizes that citizens and businesses expect public services to be delivered faster, better and more efficiently than in the past and that public services are continually improving. Intelligent, targeted use of Information and Communications Technology (ICT) and eGovernment are key enablers for these improvements.

The «eGovernment 2012-2015» presumes the need for a continuation of existing eGovernment initiatives that deliver real benefits to users. It requires public bodies to consider the potential of new and emerging technologies to improve public service delivery and to ensure that services reach the people for whom they are intended.

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[22]   Timonen V., O'Donnell O., Humphreys P.C. E-Government and the Decentralisation of Service Delivery. Dublin: Institute of Public Administration, 2003. P. 45.

[23]   O'Donnell O. et al. Transformational aspects of e-Government in Ireland: Issues to be addressed. URL: www.ejeg.com/issue/download.html?idArticle=215

[24]   UN E-Government Survey 2016. URL: https://publicadministration.un.org/egovkb/en-us/Reports/UN-E-Government-Survey-2016

[25]   eGovernment in Ireland // European Commission, 2016. - P. 18.

[26]   The Irish Government's Public Service Reform Plan. URL: http://per.gov.ie/wp-content/uploads/Public-Service-Reform-181120112.pdf

As examples of EU acts national implementation we can use mentioned above the sphere of Data Protection/Privacy, within which the Irish Data Protection Act of 1988 was amended in 2003 to ensure full compliance with the EU legislation[27]. In the sphere of eCommunications, there was adoption of Communications Regulation Act of 2002[28] and secondary legislation (a number of statutory instruments), which transposed all Directives under the EU regulatory framework for electronic communications within the Irish legal system.

5. DEVELOPMENT IN THE RUSSIAN FEDERATION

The Russian Federation, along with other countries, entered into the era of eGovernance in the early 2000s, when there was a start to form an appropriate legal base. Implementation of the Russian Federation plans to develop eGovernment and information society is conducted through the development and implementation of state programs, plans and strategies, which includes the improvement of the quality of relations between the state and society by expanding public access to the information concerning the activities of public authorities, the increasement of the efficiency of public and municipal services to the population, the introduction of uniform standards for the services, the improvement of performance of the public administration, etc.[29]

In 2002 the Federal Target Program «Electronic Russia 2002-2010»[30] was established by the Russian Government. Even before completion of the «Electronic Russia» program it was adopted the Concept of formation of eGovernment in the Russian Federation until 2010. The document set out conditions of its implementation, including widely use of ICT in the socio-economic sphere, within state authorities, in medicine, health care, education and science, raised the level of e-literacy of the population, the widespread use of e-business, ICT creation of the necessary infrastructure, including availability of departmental web-pages of almost all state bodies. At the same time, the document emphasized mainly on internal nature of the use of ICT within state authorities, which had a negative effect on inter-agency cooperation and the quality of public services, provided to citizens. A major shortcoming of ICT implementation

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[27]   Data Protection Acts 1988 and 2003. URL: https://www.dataprotection.ie/docs/Data-Protection-Acts-1988-and-2003:-Informal-Consolidation/796.htm

[28]   Communications Regulation Act, 2002. URL: http://www.irishstatutebook.ie/eli/2002/act/20/enacted/en/html

[29]   The Russian Government Regulation of January 28, 2002 № 65 «On the Federal Target Program «Electronic Russia (2002-2010)».

[30]   The Federal Target Program «Electronic Russia 2002-2010». URL: http://minsvyaz.ru/ru/activity/programs/6/

in Russia was recognized the fact, that organizations and individuals cannot receive public services without directly visiting the state body. As a disadvantage of activities of public information systems, in addition to the lack of a unified legal framework for their formation, was recognized inaccessibility of public authorities to the databases of other government agencies, multiple collection and duplication of information in different systems, difficulties of citizens' access to the information systems, the lack of efficiency in preparation of management decisions, delayed update of web-pages, lack of needed information for citizens and organizations about the order and conditions of providing public services.

This situation, according to the Concept, is not conducive to the aims and objectives of eGovernment in the Russian Federation, among which priorities is improving the quality and accessibility of public services, reduce of administrative costs, the introduction of common standards for providing of public services, improving the quality of administrative and management processes, efficiency and completeness of control of effectiveness of public authorities. Therefore, it was planned, firstly, to develop a system of remote access for citizens to information about activities of state bodies on the basis of the ICT use (development of public services web-pages, creation of structures for public access to information concerning activities of government departments and public services provided electronically, etc.). Secondly, it was decided to provide public services with the ICT use, including establishment of multipurpose centers, the use of the Internet (for the registration of real estates, the providing of social assistance and social payments). The concept also included creation of a unified infrastructure for legally significant electronic interaction. Equal importance was given to creation of an electronic document management system, to monitoring activities of state bodies, to formation of the legal framework of eGovernment, etc.[31]

Adopted in July 2010, the Federal Law «On organization of state and municipal services» regulates the normative and methodological basis for improving quality of performance of the public and local authorities functions in providing of services. In 2012, it was published a data list, possessed by the public and local authorities, involved in providing of public or municipal services. The responsibility for keeping of such information is assigned to a number of federal ministries: labor, education and science, economic development, justice and others[32].

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[31] The Concept of Formation of eGovernment in the Russian Federation until 2010.

[32] Federal Law of July 27, 2010 № 210 «On organization of state and municipal services».

In 2010 the Russian Government approved the State Program «Information Society (2011-2020)», which objectives are the following:

− to provide individuals and organizations with maximum of benefits of the use of information technologies;

− to ensure the equal access of citizens to information resources;

− to promote development of digital content, using innovative technology;

− to take measures to improve efficiency of public administration[33].

Achievement of these objectives involves separation of activities into two areas:

− optimization of procedures of providing of state and municipal services by using information technologies,

− improving of the information technology infrastructure of e-government.

The document, which has been amended several times, announced the development of state and municipal services in electronic form with the use of ICT, relevant public portals, multi-service centers, universal electronic cards and other means.

The country is increasingly introducing electronic document management. We can refer to the Russian Federation Government Regulation dated July 7, 2011 № 553 «On the procedure of registration and presenting of applications and other documents necessary for the providing of state and / or municipal services, in the form of electronic documents»[34].

Thus, if in the earlier acts all the attention of the state was directed to transfer public services into electronic form, it now focuses on popularization of the e-Government system and the motivation of citizens to use electronic services. Regarding Russian law on eGovernment we may stress on combination of legal acts and delegated legislation, e.g. Federal Law of July 27, 2010 № 210 «On organization of state and municipal services», Federal Law of April 6, 2011 № 63 «On electronic signature», etc. further developed in the Russian Government Regulation of September 22, 2009 № 754 «On Approval of the Provision on the system of the interdepartmental electronic document management» and many others.

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[33]   Russian State Programme: Information Society, 2011-2020. URL: http://government.ru/en/docs/3369/

[34]   Russian Federation Government Regulation dated July 7, 2011 № 553 «On the procedure of registration and presenting of applications and other documents necessary for the providing of state and / or municipal services, in the form of electronic documents»

We think, that Russian law needs enhancing of the legal status of the Program documents, which at the moment are acts approved by the government and, therefore, objectively does not fulfill any regulatory and binding functions. The said strategy should have the legal status of the Federal Law. But the fundamental acts of the Russian legislation on e-Government, in general, correspond to the basic principles and strategic goals of the modern global information development. Conceptually national legal framework in this area continues to be in line with leading world trends. In particular, it is well correlated with the law of the European Union.

With the development of the Internet infrastructure and reducing the cost of connecting to its networks the potential for mass use of its resources in Russia has been created. Nowadays Russia is among the top-50 countries whose citizens have used ICT to participate in government and public policy. The Russian Federation's places in the United Nations E-Government Survey rankings have changed dramatically during last decade: 2008 - 60th, 2010 - 59th, 2014 - 27th, 2016 - 35th[35].

Nevertheless, Russia still has a lot of unresolved issues. One of them is whether the political system of the Russian Federation is ready to innovate, and what should be the optimal scale of digitalization, in particular, regarding the process of providing of services to the population. There is an acute problem of Russian citizens' e-participation. Thus, regarding designing websites of ministries and state departments it should be established e-participation tools, simple and affordable for users, including feedback mechanisms.

6. CONCLUSION

Thus, at present, both EU and Russia have all necessary to enhance the efficiency of e-Government. To do this, both sides should reduce the gap in the level of technical development of the regions/member-states through development of common uniform standards and regulations on the use of e-government. Also, they have to reduce the lack of unity in application of information technologies, as well as the low level of coordination between different state departments, leading to absolutely no coherent technical solutions.

Development of «eGovernment» is an important political priority for the EU and its Member States. Through various joint programs, projects and initiatives in this direction, there were reached recognized achievements, including development of ICT infrastructure in public authorities and administration,

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[35]   United Nations E-Government Survey. URL: https://publicadministration.un.org/egovkb/en-us/Data/Country-Information/id/141-Russian-Federation

training civil servants of computer literacy, development and the use of electronic administrative procedures, providing high-quality public services for citizens and the business community.

In our opinion, both the European Union and the Russian Federation urgently need codification of e-Government legal regulation, because there are a lot different legal acts of different legal status and force. It would be of immediate relevance to adopt a kind of a Code or any other codified act to gather different legal norms, regulating particular aspects of e-Government functioning.

REFERENCES

1. APT Report on e-Government implementation. URL: http://www.apt.int/sites/default/files/Upload-files/ASTAP/Rept-5-e-Govt.pdf

2. Background paper: Implementing e-Government in OECD countries: experiences and challenges. URL: http://www.oecd.org/mena/governance/36853121.pdf

3. Bangemann Report, Europe and the Global Information SocietyURL: http://aei.pitt.edu/1199/1/info_society_bangeman_report.pdf

4. Digitizing Public Services in Europe: Putting ambition into action. 9th Benchmark Measurement. December 2010. Prepared by Capgemini, IDC, Rand Europe, Sogeti and Dti. for: European Commission, Directorate General for Information Society and Media.

5. eGovernment in Ireland // European Commission, 2016.

6. Europe's Digital Competitiveness Report. Main achievements of the i2010 Strategy 2005–2009. URL: http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2009:0390:FIN:EN:PDF

7. i2010: Information Society and the media working towards growth and jobs. URL: http://eur-lex.europa.eu/legal-content/SK/TXT/?uri=URISERV:c11328

8. Maloney W. Civic Engagement and the Quality of Governance // In: Efficient and Democratic Governance in the European Union. Beate-Kohler-Koch, Fabrice Larat (eds.)//CONNEX Report Series. 2008. № 9.

9. O'Donnell O. et al. Transformational aspects of e-Government in Ireland: Issues to be addressed. URL: www.ejeg.com/issue/download.html?idArticle=215

10. Study on «eGovernment scenarios for 2020 and the preparation of the 2015 Action Plan». Retrospective Analysis (D4).R. Fisher, L.A. Remotti and Contributions from M. Fazekas. TR-903-EC (document number)30-06-2010. Prepared for the European Commission DG Information Society and Media in support of developing the EU eGovernment Action Plan 2015. URL: http://ec.europa.eu/digital-agenda/sites/digital-agenda/files/smart2009-0069.pdf

11. Timonen V., O'Donnell O., Humphreys P.C. E-Government and the Decentralisation of Service Delivery. Dublin: Institute of Public Administration, 2003.

12. The Final Evaluation of the eGovernment Action Plan. URL: http://www.egov-ap-evaluation.eu/dashboard2.php

13. The User Challenge Benchmarking. The Supply of online Public Services. 7th Measurement. September 2007. Prepared by: Capgemini. Directorate General for Information Society and Media Public Sector. http://www.ut.is/media/utve-fur-skjol/CapGemini_2007.pdf

14. UN Global E-Government Readiness Report 2004. URL: https://publicad-ministration.un.org/egovkb/portals/egovkb/Documents/un/2004-Survey/Com-plete-Survey.pdf

15. UN E-Government Survey 2016. URL: https://publicadministration.un.org/egovkb/en-us/Reports/UN-E-Government-Survey-2016

16. World Summit the Information Society 2015. Outcome Document: Forum Track. 25–29 May. 2015. Geneva, Switzerland. International Telecommunication Union.

LEGAL ACTS:

1. Concolidated Treaties. Charter of Fundamental Rights. European Union. 2010. P. 124. URL: https://europa.eu/european-union/sites/europaeu/files/eu_citizenship/consolidated-treaties_en.pdf

2. EU eGovernment Action Plan 2016-2020 «Accelerating the digital transformation of government». URL: http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:52016DC0179

3. Ministerial Declaration on e-Government. Approved unanimously in Malmo, Sweden, on 18 November 2009. http://www.theguardian.com/government-computing-network/2009/nov/20/european-uniononline-government-services-malmo-20nov09

4. Regulation (EC) No 45/2001 of the European Parliament and of the Council of 18 December 2000 on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data // Official Journal. L 8. 12.1.2001. P. 1-22.

5. Directive 2002/21/EC of the European Parliament and of the Council of 7 March 2002 on a common regulatory framework for electronic communications networks and services (Framework Directive) // Official Journal. L 108. 24.4.2002. P. 33-50.

6. Directive 2002/20/EC of the European Parliament and of the Council of 7 March 2002 on the authorisation of electronic communications networks and services (Authorisation Directive) // OJ L 108, 24.4.2002. P. 21–32.

7. Directive 2002/19/EC of the European Parliament and of the Council of 7 March 2002 on access to, and interconnection of, electronic communications networks and associated facilities (Access Directive) // OJ L 108, 24.4.2002. P. 7–20.

8. Directive 2002/22/EC of the European Parliament and of the Council of 7 March 2002 on universal service and users' rights relating to electronic communications networks and services (Universal Service Directive) // OJ L 108, 24.4.2002. P. 51–77.

9. Directive 97/66/EC of the European Parliament and of the Council of 15 December 1997 concerning the processing of personal data and the protection of privacy in the telecommunications sector // OJ L 24, 30.1.1998. P. 1–8.

10. Data Protection Acts 1988 and 2003. URL: https://www.dataprotection.ie/docs/Data-Protection-Acts-1988-and-2003:-Informal-Consolidation/796.htm

11. Communications Regulation Act, 2002. URL: http://www.irishstatutebook.ie/eli/2002/act/20/enacted/en/html

12. The Irish Government's Public Service Reform Plan. URL: http://per.gov.ie/wp-content/uploads/Public-Service-Reform-181120112.pdf

13. The Russian Government Regulation of January 28, 2002 № 65 «On the Federal Target Program «Electronic Russia (2002-2010)».

14. The Russian Government Regulation of July 7, 2011 № 553 «On the procedure of registration and presenting of applications and other documents necessary for the providing of state and / or municipal services, in the form of electronic documents».

15. The Federal Target Program «Electronic Russia 2002-2010». URL: http://minsvyaz.ru/ru/activity/programs/6/

16. The Concept of Formation of eGovernment in the Russian Federation until 2010.

17. Russian State Programme: Information Society, 2011-2020. URL: http://government.ru/en/docs/3369/

18. Federal Law of July 27, 2010 № 210 «On organization of state and municipal services».

19. Federal Law of April 6, 2011 № 63 «On electronic signature».